



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

OCT 07 2004

(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

James Royce, Safety, Health and Environmental Manager  
Companhia Siderurgica Nacional, LLC  
455 West Industrial Drive  
Terre Haute, Indiana 47802

Re: Finding of Violation  
Companhia Siderurgica Nacional, LLC  
Terre Haute, Indiana

Dear Mr. Royce:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Finding of Violation (FOV) to Companhia Siderurgica Nacional, LLC (CSN or you). We find that you have violated Section 112 of the Clean Air Act, 42 U.S.C. § 7412, at your Terre Haute, Indiana, facility.

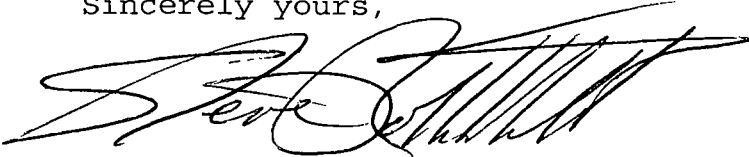
We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the FOV.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The U.S. EPA contact in this matter is Bonnie Weinbach. You may call her at (312) 886-0258 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Steve Rothblatt", with a large, sweeping flourish extending to the right.

Stephen Rothblatt, Director  
Air and Radiation Division

Enclosure

cc: Mr. David McIver, Chief  
Air Section  
Indiana Department of Environmental Management

George M. Needham, Director  
Vigo County Air Pollution Control

**United States Environmental Protection Agency  
Region 5**

<b>IN THE MATTER OF:</b>	)	
	)	
Companhia Siderurgica	)	<b>FINDING OF VIOLATION</b>
Nacional, LLC	)	
Terre Haute, Indiana	)	<b>EPA-5-04-30-IN</b>
	)	
Proceedings Pursuant to	)	
the Clean Air Act,	)	
42 U.S.C. §§ 7401 <u>et seq.</u>	)	

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**FINDING OF VIOLATION**

The United States Environmental Protection Agency finds that Companhia Siderurgica Nacional, LLC (CSN) has violated Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, CSN has violated the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants at 40 C.F.R. Part 63, Subpart CCC as follows:

**Regulatory Authority**

1. The NESHAP for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants at 40 C.F.R. Part 63, Subpart CCC, states at 40 C.F.R. § 63.1155(a)(1) that the provisions for this subpart apply to all new and existing steel pickling facilities that pickle carbon steel using hydrochloric acid (HCl) solution that contains 6 percent or more by weight HCl and is at a temperature of 100 degrees Fahrenheit or higher and that are major sources for hazardous air pollutants (HAP).
2. 40 C.F.R. § 63.2 defines a major source as any stationary source that emits or has the potential to emit considering controls 10 tons per year or more of any HAP or 25 tons per year or more of any combination of HAP.
3. Pursuant to Section 112(b) of the Clean Air Act, 42 U.S.C. 7412, hydrochloric acid is listed as a HAP.
4. The NESHAP, at 40 C.F.R. § 63.1158(a)(1), states that no owner or operator of a new or reconstructed affected continuous pickling line at a steel pickling facility shall cause or allow to be discharged into the atmosphere from the affected pickling

line:

- (i) Any gases that contain HCl in a concentration in excess of 6 ppmv; or
- (ii) HCl at a mass emission rate that corresponds to a collection efficiency of less than 99 percent.

### **Findings of Fact**

5. CSN owns and operates a steel pickling facility at 455 West Industrial Drive, Terre Haute, Indiana (the facility).

6. The facility has the potential to emit 10 tons per year or more of hydrochloric acid, a HAP, and therefore the facility is a major source and subject to the requirements at 40 C.F.R. Part 63, Subpart CCC.

7. CSN owns and operates a pickle line identified as PL-1 at the facility.

8. The Pickle Line PL-1 is a new or reconstructed source subject to the requirements of 40 C.F.R. Part 63 Subpart CCC.

9. On March 6, 2003, CSN conducted its initial performance emissions testing for HCl on its Pickle Line PL-1.

10. The results of the testing showed the Pickle Line PL-1 was discharging hydrochloric acid (HCl) at an average of 7.08 ppmv and a collection efficiency at an average of 94.7%.

11. On May 15, 2003, CSN conducted a re-test of the Pickle Line PL-1. The results of the re-test showed the Pickle Line PL-1 was discharging hydrochloric acid (HCl) at an average of 3.34 ppmv and a collection efficiency at an average of 97.2%.


**Violation**

11. The facility emitted from its Pickle Line PL-1 stack hydrochloric acid at an average level of 7.08 ppmv and a collection efficiency at an average of 94.7%. This is a violation of 40 C.F.R. § 63.1158(a)(1) which states that no owner or operator of a new or reconstructed affected continuous pickling line at a steel pickling facility shall cause or allow to be discharged into the atmosphere from the affected pickling line:

(i) Any gases that contain HCl in a concentration in excess of 6 ppmv; or

(ii) HCl at a mass emission rate that corresponds to a collection efficiency of less than 99 percent.

10/7/2004  
Date

  
\_\_\_\_\_  
Stephen Rothblatt, Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-5-04-IN-30, by Certified Mail, Return Receipt Requested, to:

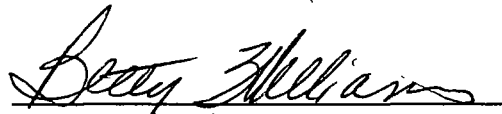
James Royce  
Safety, Health and Environmental Manager  
Companhia Siderurgica Nacional, LLC  
455 West Industrial Drive  
Terre Haute, Indiana 47802

I also certify that I sent copies of the Finding of Violation by first class mail to:

Mr. David McIver, Chief  
Air Section  
Office of Enforcement  
Indiana Department of Environmental Management  
100 North Senate, Room 1001  
Indianapolis, IN 46206-6015

George M. Needham, Director  
Vigo County Air Pollution Control  
201 Cherry Street  
Terre Haute, Indiana 47807

on the 8th day of October, 2004.

  
Betty Williams, Secretary  
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70010320 0005 8909 8244